IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.08.2007

CORAM

THE HONOURABLE MR. JUSTICE M. JAICHANDREN

W.P.No.26198 of 2007

K.Manohar .. Petitioner

vs

1. The District Collector,
Kancheepuram District,
Kancheepuram.

2. The Asst. Director of
Geology and Mining,
Kancheepuram. .. Respondents

Petition filed under Article 226 of the Constitution of India, praying this Court for the issuance of a Writ of Mandamus to direct the respondents to grant permission to the petitioner to quarry remaining 1800 lorry loads of savudu and issue bulk Transport permit on payment of necessary charges in PWD lake comprised in S.No.195/1 of Mevallur Kuppam Village, Sriperumbudur Taluk, Kancheepuram District.

For Petitioner ... Mr.M.Muthappan

For Respondents ... Mr.A.Arumugam, AGP.

ORDER

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The prayer in the writ petition is to direct the respondents to grant permission to the petitioner to quarry remaining 1800 lorry loads of savudu and issue bulk Transport permit on payment of necessary charges in PWD lake comprised in S.No.195/1 of Mevallur Kuppam Village, Sriperumbudur Taluk, Kancheepuram District.

2. It is stated by the petitioner that the petitioner has applied for quarrying permission in P.W.D lake comprised in S.No.195/1 Mevalur Kuppam Village, Sriperumpudur Taluk,

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Kancheepuram District, to quarry 3000 lorry loads of savudu for the period of 1 year. However, the first respondent, after obtaining necessary report from the PWD Engineer and Revenue Divisional Officer, has granted permission to quarry 2500 lorry loads of Savudu for the period of two months (5.7.2006 to 4.9.2006) in his proceedings Na.Ka.732/2000-Q3, dated 5.7.2007.

3. The petitioner had further submitted that he had been granted only 700 Bulk transport permits and despatch ships for the period of two months. Hence, he had given several representations to the first respondent on 18.9.2006, 10.1.2007, 6.7.2007 and 9.7.2007. However, the petitioner had not received any reply from the first respondent, till date. Hence, the petitioner had filed the present writ petition.

4. The learned counsel appearing for the respondent has submitted that in similar matters this Court had refused to grant relief as prayed for by the petitioner, and he had also produced some orders passed by this Court.

5. In view of the earlier order passed by this Court, the present writ petition stands dismissed as the relief sought for by the writ petitioner cannot be granted.

6. In view of the specific clause in the proceedings, dated 5.7.2006, wherein it has been specifically stated that no extention of time would be granted under any circumstance, the prayer of the writ petition cannot be sustained. However, it is made clear that it is open to the petitioner to file a fresh application before the first respondent for the grant of permission to quarry additional lorry loads of savudu, if found necessary.

7. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

cla

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To

1. The District Collector,
Kancheepuram District,
Kancheepuram.

2. The Asst. Director of
Geology and Mining,
Kancheepuram.

1 cc to Mr.M. Muthappan, Advocate, sr. 52324
1 cc to Government Pleader, High Court, SR. 52251

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